

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE:)	
)	CASE NO. 16-36050-KRH
Jacqueline E. Jones)	
)	
)	CHAPTER 13
)	
Debtor)	
_____)	

ORDER MODIFYING LOAN TERMS

THIS CAUSE came on this day to consider the Motion to Approve Agreement to Amend Loan Terms ("Motion") filed herein by Jacqueline E. Jones, Debtor (hereinafter "Debtor"). The Court, having reviewed the pleadings filed herein and being fully advised in the premises, the Court finds that:

- 1 . Caliber Home Loans, Inc. (Lender). has offered a Loan Modification Agreement to the Debtor of a certain Deed of Trust Note dated April 2, 2004, which note is Secured by a Deed of Trust of even date therewith and duly recorded on the Subject Property; and
2. That the Lender holds a secured interest in certain real property titled in the name of the Debtor located at 16447 Jones Lane, Yale, VA 23897, in Sussex County, Virginia (the property).
3. That the Lender and Debtor have engaged in further settlement discussions and have reached an agreement with respect to the loan terms of the Note referenced in Debtor's Motion and the Debtor and the Lender have signed an Agreement Modifying the terms of the Loan ("Agreement") which has been filed with the Court and upon review of the Agreement,

THE COURT FINDS that said Agreement is fair and reasonable.

THE COURT FURTHER FINDS that the lower monthly payments will result in Debtor being able to make plan payments within her available monthly budget.

THE COURT FURTHER FINDS that the Trustee was served with the Debtor's Motion.

WHEREFORE THE COURT GRANTS the Motion of the Debtor and the Loan Modification Agreement entered into between the Lender and Debtor is hereby APPROVED, the terms of which are referenced in Debtor's Motion and below, and which are set forth as follows:

- a . That as of March 1, 2017, the Principal balance of the Note was \$54,059.49 (Unpaid Principal Balance)
- b . Current monthly payments are \$235.80 (estimated PITI of \$417.22) with an adjustable interest rate currently at 3.08%.
- c . That as of March 1, 2017 the approximate pay off balance is \$54,059.49.
- d . The current maturity date of the Note is June 1, 2034 (incorrectly set forth in the Loan Modification Agreement as June 1, 2043.
- e . The Modified Unpaid Principal Balance will be \$54,059.49.
- f . That Debtor shall make monthly payments of \$196.03 (estimated PITI of \$316.11) with a fixed interest rate of 3.08%. Payments will start on May 1, 2017 and last for 480 months, with a balloon payment in the amount of \$7228.17 due on April 1, 2057.
- g . The new maturity date of the note will be April 1, 2057.
- h. All other terms of the Note shall remain effective and enforceable as set forth in said Note.

IT IS FURTHER ORDERED that since all arrears have been included in the new principal balance of the modified loan, it is hereby ORDERED that the Debtor and the Trustee are relieved from making payments on the arrears claim.

Signed this Oct 26 2017 day of _____, 20__.

/s/ Kevin R. Huennekens

United States Bankruptcy Judge

Entered on Docket: Oct 27 2017

I ASK FOR THIS:

/s/ Brian K. Stevens
Brian K. Stevens, VSB#25974
America Law Group, Inc.
2312 Boulevard
Colonial Heights, VA 23834
804-506-0177 (ph)
804-518-5121 (fax)
Counsel for Debtor

SEEN AND AGREED:

/s/ Suzanne E. Wade
Suzanne E. Wade, Trustee

LOCAL RULE 9022-1 (C) CERTIFICATION

COMES NOW the Debtor, by counsel and pursuant to Local Rule 9022-1(C)(1) advises the Court that the foregoing Order has been endorsed by all the necessary parties.

/s/ Brian K. Stevens
Brian K. Stevens

**LIST OF PARTIES TO
RECEIVE NOTICE OF ENTRY OF ORDER**

COMES NOW the Debtor(s), by counsel, and pursuant to local Rule 9022-1(B)(1) advises the Court that the following is a list of all parties to whom notice of the entry of order should be given, to-wit:

Brian K. Stevens
America Law Group, Inc.
Counsel for Debtor(s)
2312 Boulevard
Colonial Heights, VA 23834

Suzanne E. Wade, Trustee
P.O. Box 1780
Richmond, VA 23218

Caliber Home Loans, Inc.
P.O. Box 24610
Oklahoma City, OK 73124

Jennifer E. Jones
16447 Jones Lane
Yale, VA 23897